



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 1, 2020

BY ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Michael Avenatti*, 19 Cr. 374 (JMF)

Dear Judge Furman:

The Government respectfully submits this letter on behalf of the parties pursuant to the Court's Order issued on September 28, 2020 (Dkt. No. 92).

The parties request that the Court adjourn the conference presently scheduled for October 13, 2020, at 10:00 a.m., to a date and time convenient to the Court during the week beginning November 30, 2020. The parties request that the Court exclude time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), between October 13, 2020, and the date for which the conference is rescheduled, in order to permit the defense to continue reviewing the discovery materials produced by the Government.


The parties agree that, if the conference proceeds on October 13, 2020, it should be held remotely by telephone in light of the ongoing COVID-19 pandemic. The defendant consents to doing so.

The defendant presently is on temporary release pursuant to 18 U.S.C. § 3142(i) granted by the United States District Court for the Central District of California. The parties will advise the Court in the event that the defendant's custody status changes.

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Respectfully submitted,

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cc: Robert M. Baum, Esq. (by ECF)
Andrew J. Dalack, Esq. (by ECF)
Tamara L. Giwa, Esq. (by ECF)

The conference is hereby ADJOURNED, but only to November 10, 2020, at 10:00 a.m. - which is before the internal SDNY deadline by which the Court would need to submit the case to be tried by jury in 2021 under the COVID-19 jury trial protocols. Counsel should be prepared to address a new trial date at the conference. Time is excluded in the interests of justice from today, until November 10, 2020 for the reasons listed by the Government. SO ORDERED.


October 1, 2020